

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 07-0417-1911

ELECTIONS: UNIT W-5  
(herein Subject Drilling Unit)

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on September 18, 2007 which was recorded at Document #070003663 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on October 2, 2007, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit W-5;

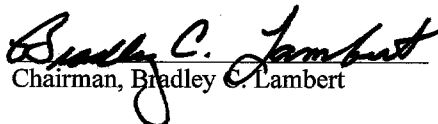
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, N.A., VA7515, P.O. Box 14061, Roanoke, VA 24038, Attn: Derrick Dewalt or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

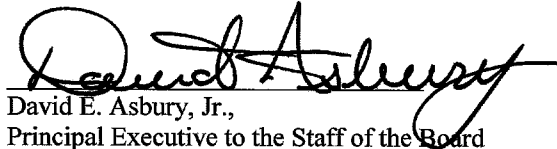
Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 18 day of Dec., 2009, by a majority of the Virginia Gas and Oil Board.


  
Chairman, Bradley C. Lambert

DONE AND PERFORMED THIS 18 day of Dec, 2009, by Order of the Board.

  
David E. Asbury, Jr.,  
Principal Executive to the Staff of the Board

STATE OF VIRGINIA  
COUNTY OF RUSSELL

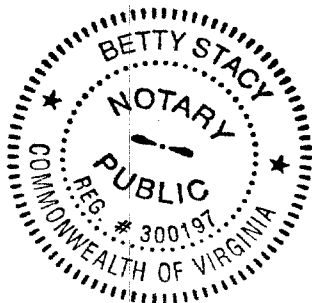
Acknowledged on this 18th day of December, 2009, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, and appeared David E. Asbury Jr., being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board that they executed the same and were authorized to do so.

  
Betty Stacy, Notary  
300197

\_\_\_\_\_  
Diane J. Davis, Notary  
174394

My commission expires  
May 31, 2013.

My commission expires: September 30, 2013



VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit W-5  
VGOB 07-0417-1911 in the Prater District of Buchanan County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING  
ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Land Resources, Inc., as a Pooling Supervisor and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on September 18, 2007, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Lebanon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on October 2, 2007;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

None

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of September 18, 2007;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

See attached Exhibit B-2

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

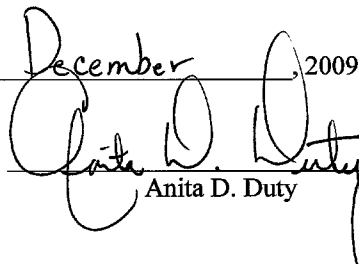
Judy C. Boyd, Pauline Baldwin, Judy Elizabeth Hagy, Jody Baldwin, Samuel Marcus Baldwin, II, Shelia Miller, Marvin H. Looney, Henry W. Looney, Loretta Trittipoe, Bobby Gene Looney, Beulah Fawn Holifield, Evelyn Carol James, Larry Looney, Beverly Hagy, Juanita Scott Thompson, Wesley & Shirley Owens

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

See attached Exhibit EE

That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 15<sup>th</sup> day of December, 2009.

  
Anita D. Duty

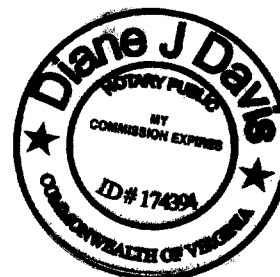
STATE OF ~~WEST~~ VIRGINIA  
COUNTY OF ~~MERCER~~

Russell

Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land Resources, Inc., on behalf of the corporate Designated Operator, this 15<sup>th</sup> day of December, 2009.

  
Notary

My commission expires: 9/30/13



BEARING & DISTANCE TO NEAREST WELLS  
WITHIN 2500' RADIUS FROM CBM-W5

CBM-V5-92 N 12°23'07" W 761.40'  
CBM-V6-105 N 24°43'11" E 1775.85'  
VVH-116 S 86°00'09" E 1081.01'

N 327,061.18  
E 953,465.03

N 327,131.83  
E 951,600.38

N 325,192.61  
E 953,394.18

N 325,263.31  
E 951,529.45

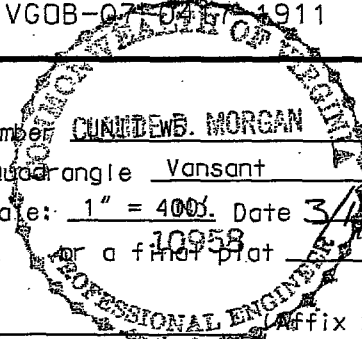
PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED  
BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

EXHIBIT A  
OAKWOOD FIELD  
UNIT W-5  
FORCE POOLING  
VGOB-07-04-1911

Company CNX Gas Company LLC Well Name and Number CUNDEW. MORGAN  
Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Vansant  
County Buchanan District Prater Scale: 1" = 400' Date 3/14/02  
This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DGO-GO-7  
Rev. 9/91

*Charles O. Morgan*  
Licensed Professional Engineer or Licensed Land Surveyor



# **CNX Gas Company LLC**

## **Unit W5**

### **Tract Identifications**

- 1A. **Harrison-Wyatt, LLC, Big Axe Tr. 24 (336 Acre Tract) – Coal**  
**Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Leased**  
**Jewell Smokeless Coal Corporation – Coal Above Drainage Leased**  
**Billie S. Campbell, et ux – Surface and All Minerals except Coal**  
**CNX Gas Company LLC – Oil, Gas and CBM Leased**  
**12.23 acres                      15.2875%**
- 1B. **Harrison-Wyatt, LLC, Big Axe Tr. 24 (336 Acre Tract) – Coal**  
**Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Leased**  
**Jewell Smokeless Coal Corporation – Coal Above Drainage Leased**  
**CNX Gas Company LLC – Surface and All Minerals except Coal**  
**8.16 acres                      10.2000%**
- 1C. **Harrison-Wyatt, LLC, Big Axe Tr. 24 (336 Acre Tract) – Coal**  
**Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Leased**  
**Jewell Smokeless Coal Corporation – Coal Above Drainage Leased**  
**Hassell B. Shortridge, et ux – Surface and All Minerals except Coal**  
**CNX Gas Company LLC – Oil, Gas and CBM Leased**  
**0.67 acres                      0.8375%**
- 1D. **Harrison-Wyatt, LLC, Big Axe Tr. 24 (336 Acre Tract) – Coal**  
**Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Leased**  
**Jewell Smokeless Coal Corporation – Coal Above Drainage Leased**  
**Billy Joe Kinser – Surface and All Minerals except Coal**  
**CNX Gas Company LLC – Oil, Gas and CBM Leased**  
**0.23 acres                      0.2875%**
- 1E. **Harrison-Wyatt, LLC, Big Axe Tr. 24 (336 Acre Tract) – Coal**  
**Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Leased**  
**Jewell Smokeless Coal Corporation – Coal Above Drainage Leased**  
**Hassell B. Shortridge, et al – Surface and All Minerals except Coal**  
**CNX Gas Company LLC – Oil, Gas and CBM Leased**  
**4.93 acres                      6.1625%**
2. **Harrison-Wyatt, LLC Big Axe Tr. 25 (247 Acre Tract) – All Minerals**  
**Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Leased**  
**Jewell Smokeless Coal Corporation – Coal Above Drainage Leased**  
**CNX Gas Company LLC – Oil, Gas and CBM Leased**  
**41.76 acres                      52.2000%**
- 2A. **CNX Gas Company LLC – Surface**  
2B. **Billie Campbell, et ux – Surface**  
2C. **Gregory L. Cook, et al – Surface**  
2D. **Gregory L. Cook, et al – Surface**  
2E. **Evans R. Yates, et al – Surface**

**CNX Gas Company LLC**  
**Unit W5**  
**Tract Identifications**

3. **F.M.F. Boyd, Heirs, et al (119 acre tract) – Coal (Except % of Widow Kennedy and Above Seams)**  
**Rual Fuller/National Energy Corp. – (%) of Widow Kennedy and Above Seams**  
**F.M.F. Boyd Heirs, et al – All Minerals except Coal (96.94%)**  
**CNX Gas Company LLC – All Minerals except Coal (3.06)**  
**Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased**  
**CNX Gas Company LLC – Oil, Gas and CBM Leased(%)**  
**7.62 acres                      9.5250%**
- 3A. **Ocie S. Jackson - Surface**  
3B. **Dewitt Boyd, et al (Lillie Boyd Heirs) - Surface**
4. **Levisa Coal Company Tr. 36 (51 Acre Tract of 75.75 acre Tract) – Coal**  
**Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased**  
**Jewell Smokeless Coal Corporation – Coal In Tiller and Above Leased**  
**John W. Pobst, Jr., et al. - Oil and Gas**  
**CNX Gas Company LLC – CBM Leased**  
**Maxie Fuller Heirs, et al - Surface**  
**4.40 acres                      5.5000%**

**Exhibit B-2**  
**Unit W-5**  
**Docket #VGOB 07-0417-1911**  
**List of Respondents to be Dismissed**

	Acres in Unit	Percent of Unit	Reason for Dismissal	Reason for Addition
<b>I. COAL OWNERSHIP</b>				
<b><u>Tract #3 - 7.62 acres</u></b>				
(1) F.M.F. Boyd Heirs, Devisees, Successors or Assigns, et al.	7.62 acres	9.5250%		
(2) Henry Boyd Heirs, Devisees, Successors or Assigns				
(d) Judy C. Boyd Rt.1 Box 297 Vansant, VA 24656	0.0173 acres 0.227% of 7.62 acres	0.0216%	Leased	
(5) Marion Rendue Boyd Heirs, Devisees, Successors or Assigns				
(c) Leah Vernie Baldwin Heirs, Devisees, Successors or Assigns				
(c.3) Pauline Baldwin 5773 Governors Pond Circle Alexandria, VA 22310	0.0088 acres 0.1157% of 7.62 acres	0.0110%	Leased	
(c.8) Judy Elizabeth Hagy Rt.2 Box 448 Vansant, VA 24656	0.0088 acres 0.1157% of 7.62 acres	0.0110%	Leased	
(c.9) Gary Raymond Baldwin Heirs, Devisees, Successors or Assigns				
(c.9.1) Jody Baldwin 341 Pennsylvania Avenue Salem, VA 24153	0.0088 acres 0.1157% of 7.62 acres	0.0110%	Leased	
(c.12) Samuel Marcus Baldwin Heirs, Devisees, Successors or Assigns				
(c.12.1) Samuel Marcus Baldwin, II P.O. Box 994 Vansant, VA 24656	0.0029 acres 0.0386% of 7.62 acres	0.0037%	Sold Interest Not an Owner	
(e) Ada Nell Stiltner Heirs, Devisees, Successors or Assigns				
(e.3) Shelia Miller 22455 Wyldwood Road Abingdon, VA 24211	0.0176 acres 0.2315% of 7.62 acres	0.0221%	Leased	
(j) Mary Boyd Cook Heirs, Devisees, Successors or Assigns				
(j.4) Ercil Cook Heirs, Devisses, Successors or Assigns			Deceased	
(j.4.1) Mark Cook Address Unknown	0.0088 acres 1/864 of 7.62 acres	0.01102%		Heir
(j.4.2) Ercil Cook, Jr. Address Unknown	0.0088 acres 1/864 of 7.62 acres	0.01102%		Heir
(j.4.3) Ursula Cook Address Unknown	0.0088 acres 1/864 of 7.62 acres	0.01102%		Heir

**Exhibit B-2**  
**Unit W-5**  
**Docket #VGOB 07-0417-1911**  
**List of Respondents to be Dismissed**

	Acres in Unit	Percent of Unit	Reason for Dismissal	Reason for Addition
<b>II. OIL &amp; GAS OWNERSHIP</b>				
<b><u>Tract #3 - 7.62 acres</u></b>				
(1) F.M.F. Boyd Heirs, Devisees, Successors or Assigns, et al.	7.62 acres	9.5250%		
(2) Henry Boyd Heirs, Devisees, Successors or Assigns				
(d) Judy C. Boyd Rt.1 Box 297 Vansant, VA 24656	0.0173 acres 0.227% of 7.62 acres	0.0216%	Leased	
(5) Marion Rendue Boyd Heirs, Devisees, Successors or Assigns				
(c) Leah Vernie Baldwin Heirs, Devisees, Successors or Assigns				
(c.3) Pauline Baldwin 5773 Governors Pond Circle Alexandria, VA 22310	0.0088 acres 0.1157% of 7.62 acres	0.0110%	Leased	
(c.8) Judy Elizabeth Hagy Rt.2 Box 448 Vansant, VA 24656	0.0088 acres 0.1157% of 7.62 acres	0.0110%	Leased	
(c.9) Gary Raymond Baldwin Heirs, Devisees, Successors or Assigns				
(c.9.1) Jody Baldwin 341 Pennsylvania Avenue Salem, VA 24153	0.0088 acres 0.1157% of 7.62 acres	0.0110%	Leased	
(c.12) Samuel Marcus Baldwin Heirs, Devisees, Successors or Assigns				
(c.12.1) Samuel Marcus Baldwin, II P.O. Box 994 Vansant, VA 24656	0.0029 acres 0.0386% of 7.62 acres	0.0037%	Sold Interest Not an Owner	
(e) Ada Nell Stiltner Heirs, Devisees, Successors or Assigns				
(e.3) Shelia Miller 22455 Wyldwood Road Abingdon, VA 24211	0.0176 acres 0.2315% of 7.62 acres	0.0221%	Leased	
(j) Mary Boyd Cook Heirs, Devisees, Successors or Assigns				
(j.4) Ercil Cook Heirs, Devisses, Successors or Assigns			Deceased	
(j.4.1) Mark Cook Address Unknown	0.0088 acres 1/864 of 7.62 acres	0.01102%		Heir
(j.4.2) Ercil Cook, Jr. Address Unknown	0.0088 acres 1/864 of 7.62 acres	0.01102%		Heir
(j.4.3) Ursula Cook Address Unknown	0.0088 acres 1/864 of 7.62 acres	0.01102%		Heir

**Exhibit B-2**  
**Unit W-5**  
**Docket #VGOB 07-0417-1911**  
**List of Respondents to be Dismissed**

**Tract #4 - 4.40 acres**

	Acres in Unit	Percent of Unit	Reason for Dismissal	Reason for Addition
(1) John W. Pobst, Jr., et al. (51 Acre outsale of the 75.75 Acre Tract)	4.40 acres	5.5000%		
(j) Gallie Looney Heirs, Devisees, Successors or Assigns				
(j.1) Marvin H. Looney 1235 N. Brookland Road Genesee, PA 16923	0.08 acres 1/56 of 4.40 acres	0.0982%	Leased	
(j.2) Henry W. Looney 322 24th Street W. Huntington, WV 25704	0.08 acres 1/56 of 4.40 acres	0.0982%	Leased	
(j.3) Loretta Trittipoe 9 High Street Brookeville, MD 20833	0.08 acres 1/56 of 4.40 acres	0.0982%	Leased	
(j.4) Bobby Gene Looney Address Unknown	0.08 acres 1/56 of 4.40 acres	0.0982%	Leased	
(j.5) Beulah Fawn Holifield 17813 Howe Drive Olney, MD 20832	0.08 acres 1/56 of 4.40 acres	0.0982%	Leased	
(j.6) Evelyn Carol James 183 Quarry Road Sparta, MO 65753	0.08 acres 1/56 of 4.40 acres	0.0982%	Leased	
(j.7) Larry Looney 13901 Turkey Run Court Darnestown, MD 20878	0.08 acres 1/56 of 4.40 acres	0.0982%	Leased	
(o) Henry W. Hagy Heirs, Devisees, Successors or Assigns				
(o.1) Beverly Hagy P.O. Box 369 Linden, MI 48451	0.08 acres 19/1008 of 4.40 acres	0.1037%	Leased	
(v) Robert Joseph Looney Heirs, Devisees, Successors or Assigns (Previously J.R. Looney)			Deceased (Due Diligence)	
(v.1) Monnie Wilson 1904 Ireland Drive Leander, TX 78641-2836	0.11 acres 1/40 of 4.40 acres	0.1375%		Heir (Due Diligence)
(v.2) Rachel Sweeten P.O. Box 508 Raven, VA 24639-0508	0.11 acres 1/40 of 4.40 acres	0.1375%		Heir (Due Diligence)
(v.3) Ollie Fay Looney Aldhizen Heirs, Devisees, Successors or Assigns				
(v.3.1) Karla Lankins 9899 SW 170 Street Miami, FL 33157-4332	0.11 acres 1/40 of 4.40 acres	0.1375%		Heir (Due Diligence)
(v.4) Luther Theodore Looney Heirs, Devisees, Successors or Assigns				
(v.4.1) Michael Joseph Looney 18701 Roxbury Road Hagenstown, MD 21746	0.06 acres 1/80 of 4.40 acres	0.0688%		Heir (Due Diligence)

**Exhibit B-2**  
**Unit W-5**  
**Docket #VGOB 07-0417-1911**  
**List of Respondents to be Dismissed**

	Acres in Unit	Percent of Unit	Reason for Dismissal	Reason for Addition
(v.4.2) David Scott Looney 817 Tafh Street Sidney, OH 45365-2543	0.06 acres 1/80 of 4.40 acres	0.0688%		Heir (Due Diligence)
(v.5) Bradley Miles Looney Heirs, Devisees, Successors or Assigns				
(v.5.1) Ruth Looney 417 Reedy Fork Road Greenville, SC 29605-6219	0.11 acres 1/40 of 4.40 acres	0.1375%		Heir (Due Diligence)
(w) Juanita Scott Thompson 1209 Burning Fork Rd. Pikeville, KY 41501	0.06 acres 1/72 of 4.40 acres	0.0764%	Leased	
(ff) Virgil Owens Heirs, Devisees, Successors or Assigns				
(ff.1) Lucinda Owens Heirs, Devisees, Successors or Assigns				
(ff.1.1) Wesley & Shirley Owens P.O. Box 684 Oakwood, VA 24631	0.01 acres 1/648 of 4.40 acres	0.0085%	Leased	

**Exhibit B-3**  
**Unit W-5**  
**Docket #VGOB 07-0417-1911**  
**List of Unleased Owners/Claimants**

	Acres in Unit	Percent of Unit
<b>I. <u>COAL OWNERSHIP</u></b>		
<b><u>Tract #3 - 7.62 acres</u></b>		
(1) F.M.F. Boyd Heirs, Devisees, Successors or Assigns, et al.	7.62 acres	9.5250%
(1) Marion Boyd Heirs, Devisees, Successors or Assigns		
(a) Clyde Boyd P.O. Box 403 Clinchco, VA 24226	0.0518 acres 0.680% of 7.62 acres	0.0648%
(b) Kilby Boyd c/o Clyde Boyd P.O. Box 403 Chinchco, VA 24226	0.0518 acres 0.680% of 7.62 acres	0.0648%
(5) Marion Rendue Boyd Heirs, Devisees, Successors or Assigns		
(c) Leah Vernie Baldwin Heirs, Devisees, Successors or Assigns		
(c.2) Opal Mattie Hunt 263 Donna Avenue Morgantown, WV 26505	0.0088 acres 0.1157% of 7.62 acres	0.0110%
(c.6) Laura Virginia Manier Rt.2 Box 54 Vansant, VA 24656	0.0088 acres 0.1157% of 7.62 acres	0.0110%
(c.7) Henry Nathan Baldwin, Jr. Rt.2 Box 453 Vansant, VA 24656	0.0088 acres 0.1157% of 7.62 acres	0.0110%
(c.11) James Curtis Baldwin 1261 Baldwin Rd. Vansant, VA 24656	0.0088 acres 0.1157% of 7.62 acres	0.0110%
(j) Mary Boyd Cook Heirs, Devisees, Successors or Assigns		
(j.2) Lloyd Cook Rt.5 Box 535 Grundy, VA 24614	0.0265 acres 0.347% of 7.62 acres	0.0331%
(l) Ardue Guy Boyd Heirs, Devisees, Successors or Assigns		
(l.6) Estil Boyd Heirs, Devisees, Successors or Assigns		
(l.6.1) Katherine Boyd 116 Villa Lane Taylorsville, NC 28681	0.0088 acres 0.116% of 7.62 acres	0.0110%
(l.11) Robert G. Boyd Rt.1 Box 416 Vansant, VA 24656	0.0088 acres 0.116% of 7.62 acres	0.0110%

**Exhibit B-3  
Unit W-5  
Docket #VGOB 07-0417-1911  
List of Unleased Owners/Claimants**

	Acres in Unit	Percent of Unit
<b>II. <u>OIL &amp; GAS OWNERSHIP</u></b>		
<b><u>Tract #1E - 4.93 acres</u></b>		
Hassell B. Shortridge, et al.	4.93 acres	6.1625%
(4) Ponzella Fields P.O. Box 433 Ephrata, PA 17522	0.55 acres 1/9 of 4.93 acres	0.6847%
(7) Phyllis Sensenig 85 Vera Cruz Road Reinhold, PA 17569	0.55 acres 1/9 of 4.93 acres	0.6847%
(8) Billy Gene Shortridge Heirs, Devisees, Successors or Assigns		
(a) Mary Irene Shortridge 915 Redwood Drive Norcross, GA 30093	0.14 acres 1/36 of 4.93 acres	0.1712%
(c) Billie Joe Shortridge 25243 Lettner Lane Rhoadesville, VA 22542	0.14 acres 1/36 of 4.93 acres	0.1712%
(d) Teresa Shortridge George 5930 W. Andechs Summit Duluth, GA 30097	0.14 acres 1/36 of 4.93 acres	0.1712%
<b><u>Tract #3 - 7.62 acres</u></b>		
(1) F.M.F. Boyd Heirs, Devisees, Successors or Assigns, et al.	7.62 acres	9.5250%
(1) Marion Boyd Heirs, Devisees, Successors or Assigns		
(a) Clyde Boyd P.O. Box 403 Clinchco, VA 24226	0.0518 acres 0.680% of 7.62 acres	0.0648%
(b) Kilby Boyd c/o Clyde Boyd P.O. Box 403 Chinchco, VA 24226	0.0518 acres 0.680% of 7.62 acres	0.0648%
(5) Marion Rendue Boyd Heirs, Devisees, Successors or Assigns		
(c) Leah Vernie Baldwin Heirs, Devisees, Successors or Assigns		
(c.2) Opal Mattie Hunt 263 Donna Avenue Morgantown, WV 26505	0.0088 acres 0.1157% of 7.62 acres	0.0110%
(c.6) Laura Virginia Manier Rt.2 Box 54 Vansant, VA 24656	0.0088 acres 0.1157% of 7.62 acres	0.0110%
(c.7) Henry Nathan Baldwin, Jr. Rt.2 Box 453 Vansant, VA 24656	0.0088 acres 0.1157% of 7.62 acres	0.0110%

**Exhibit B-3**  
**Unit W-5**  
**Docket #VGOB 07-0417-1911**  
**List of Unleased Owners/Claimants**

	Acres in Unit	Percent of Unit
(c.11) James Curtis Baldwin 1261 Baldwin Rd. Vansant, VA 24656	0.0088 acres 0.1157% of 7.62 acres	0.0110%
(j) Mary Boyd Cook Heirs, Devisees, Successors or Assigns		
(j.2) Lloyd Cook Rt.5 Box 535 Grundy, VA 24614	0.0265 acres 0.347% of 7.62 acres	0.0331%
(l) Ardue Guy Boyd Heirs, Devisees, Successors or Assigns		
(l.6) Estil Boyd Heirs, Devisees, Successors or Assigns		
(l.6.1) Katherine Boyd 116 Villa Lane Taylorsville, NC 28681	0.0088 acres 0.116% of 7.62 acres	0.0110%
(l.11) Robert G. Boyd Rt.1 Box 416 Vansant, VA 24656	0.0088 acres 0.116% of 7.62 acres	0.0110%
<b><u>Tract #4 - 4.40 acres</u></b>		
(1) John W. Pobst, Jr., et al. (51 Acre outsale of the 75.75 Acre Tract)	4.40 acres	5.5000%
(k) Hays Owens Address Unknown	0.18 acres 1/24 of 4.40 acres	0.2292%
(l) Holly Owens Address Unknown	0.18 acres 1/24 of 4.40 acres	0.2292%
(m) Claude Owens Heirs, Devisees, Successors or Assigns Heirs / Addresses Unknown	0.18 acres 1/24 of 4.40 acres	0.2292%
(n) Hettie Looney Maynard Heirs, Devisees, Successors or Assigns		
(n.8) Henry Jefferson Todge Maynard Heirs, Devisees, Successors or Assigns		
(n.8.1) Diana Thacker 130 Angela Street Pikeville, KY 41501	0.02 acres 1/192 of 4.40 acres	0.0286%
(n.8.2) Doug Maynard 5638 Zebulon Highway Pikeville, KY 41501	0.02 acres 1/192 of 4.40 acres	0.0286%
(n.8.3) John P. Maynard Heirs, Devisees, Successors or Assigns		
(n.8.3.1) Karen Maynard 6828 Zebulon Highway Pikeville, KY 41501	0.01 acres 1/384 of 4.40 acres	0.0143%
(n.8.3.2) Jill Maynard Address Unknown	0.01 acres 1/384 of 4.40 acres	0.0143%

**Exhibit B-3**  
**Unit W-5**  
**Docket #VGOB 07-0417-1911**  
**List of Unleased Owners/Claimants**

	Acres in Unit	Percent of Unit
(o) Henry W. Hagy Heirs, Devisees, Successors or Assigns		
(o.1) Beverly Hagy P.O. Box 369 Linden, MI 48451	0.08 acres 19/1008 of 4.40 acres	0.1037%
(p) William R. Hagy 20963 Chatham Court Abingdon, VA 24210-1682	0.08 acres 19/1008 of 4.40 acres	0.1037%
(t) Betty Hagy Alcartan 6431 Hill Creek Drive San Antonio, TX 78256	0.08 acres 19/1008 of 4.40 acres	0.1037%
(u) Della Church Heirs, Devisees, Successors or Assigns		
(u.1) Deborah Ashby Address Unknown	0.01 acres 1/504 of 4.40 acres	0.0109%
(u.2) Dorothy F. Church Address Unknown	0.01 acres 1/504 of 4.40 acres	0.0109%
(u.3) Donald J. Church Address Unknown	0.01 acres 1/504 of 4.40 acres	0.0109%
(u.4) Vickie Guffey 2289 Preston Mill Road Huddleston, VA 24104	0.01 acres 1/504 of 4.40 acres	0.0109%
(u.5) Danny R. Church 1396 Laymantown Road Troutville, VA 24175	0.01 acres 1/504 of 4.40 acres	0.0109%
(y) Maxie Fuller Heirs, Devisees, Successors or Assigns		
(y.1) Danny Fuller Heirs, Devisees, Successors or Assigns		
(y.1.1) Allison Fuller 195 Reaves Avenue Interlachen, FL 32148	0.00 acres 1/972 of 4.40 acres	0.0057%
(y.1.2) Stacy Fuller 212 Holly Lane Palatka, FL 32177	0.00 acres 1/1944 of 4.40 acres	0.0028%

**Exhibit E**  
**Unit W-5**  
**Docket #VGOB 07-0417-1911**  
**List of Conflicting Owners/Claimants that require escrow**

	<b>Acres in Unit</b>	<b>Percent of Unit</b>
<b><u>Tract #1A - 12.23 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Harrison-Wyatt, LLC Big Axe Tr. 24 (336 Acre Tract) P.O. Box 11000 Danville, VA 24543	12.23 acres	15.2875%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Billie S. Campbell P.O. Box 6 Vansant, VA 24656	12.23 acres	15.2875%
<b><u>Tract #1B - 8.16 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Harrison-Wyatt, LLC Big Axe Tr. 24 (336 Acre Tract) P.O. Box 11000 Danville, VA 24543	8.16 acres	10.2000%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) CNX Gas Company LLC 2481 John Nash Blvd. Bluefield, WV 24701	8.16 acres	10.2000%
<b><u>Tract #1C - 0.67 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Harrison-Wyatt, LLC Big Axe Tr. 24 (336 Acre Tract) P.O. Box 11000 Danville, VA 24543	0.67 acres	0.8375%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Hassell B. Shortridge, et ux. P.O. Box 815 Vansant, VA 24656	0.67 acres	0.8375%
<b><u>Tract #1D - 0.23 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Harrison-Wyatt, LLC Big Axe Tr. 24 (336 Acre Tract) P.O. Box 11000 Danville, VA 24543	0.23 acres	0.2875%

**Exhibit E**  
**Unit W-5**  
**Docket #VGOB 07-0417-1911**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Billy Joe Kinser P.O. Box 545 Keen Mountain, VA 24624	0.23 acres	0.2875%
<b><u>Tract #1E - 4.93 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Harrison-Wyatt, LLC Big Axe Tr. 24 (336 Acre Tract) P.O. Box 11000 Danville, VA 24543	4.93 acres	6.1625%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
Hassell B. Shortridge, et al.	4.93 acres	6.1625%
(1) Wanda C. Shortridge Rt.1 Box 95 Vansant, VA 24656	1.10 acres 2/9 of 4.93 acres	1.3694%
(2) Hassell B. Shortridge P.O. Box 815 Vansant, VA 24656	0.55 acres 1/9 of 4.93 acres	0.6847%
(3) Cecil Shortridge Heirs, Devisees, Successors or Assigns		
(a) Blanche Shortridge 290 Stansbury Lane North Tazewell, VA 24630	0.55 acres 1/9 of 4.93 acres	0.6847%
(4) Ponzella Fields P.O. Box 433 Ephrata, PA 17522	0.55 acres 1/9 of 4.93 acres	0.6847%
(6) Maggie Marie Shortridge Heirs, Devisees, Successors or Assigns		
(a) Michael Boyd P.O. Box 738 Vansant, VA 24656	0.55 acres 1/9 of 4.93 acres	0.6847%
(7) Phyllis Sensenig 85 Vera Cruz Road Reinhold, PA 17569	0.55 acres 1/9 of 4.93 acres	0.6847%
(8) Billy Gene Shortridge Heirs, Devisees, Successors or Assigns		
(a) Mary Irene Shortridge 915 Redwood Drive Norcross, GA 30093	0.14 acres 1/36 of 4.93 acres	0.1712%
(b) Brenda Sue Shortridge P.O. Box 7 Mavisdale, VA 24627	0.14 acres 1/36 of 4.93 acres	0.1712%

**Exhibit E**  
**Unit W-5**  
**Docket #VGOB 07-0417-1911**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
(c) Billie Joe Shortridge 25243 Lettner Lane Rhoadesville, VA 22542	0.14 acres 1/36 of 4.93 acres	0.1712%
(d) Teresa Shortridge George 5930 W. Andechs Summit Duluth, GA 30097	0.14 acres 1/36 of 4.93 acres	0.1712%

**Tract #4 - 4.40 acres**

**COAL OWNERSHIP**

(1) Levisa Coal Company, et al., Tr.36 (51 Acre outsale of the 75.75 Acre Tract) c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77469	4.40 acres	5.5000%
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**Note:** (Levisa has a Royalty Division Order with the John Pobst, et al. Group, Owners a thru i.)

**OIL & GAS OWNERSHIP**

John W. Pobst, Jr., et al. (51 Acre outsale of the 75.75 Acre Tract)	4.40 acres	5.5000%
(1) John W. Pobst, Jr., et al.	1.96 acres 4/9 of 4.40 acres	2.4444%
(i) D. Ralph Thacker 20021 Thacker Drive Boonsboro, MD 21713	0.306 acres 1/8 of 4.40 acres	0.3819%
(2) Henry J. Looney Heirs, Devisees, Successors or Assigns	2.44 acres 5/9 of 4.40 acres	3.0556%
(a) Gallie Looney Heirs, Devisees, Successors or Assigns		
(a.1) Marvin H. Looney 1235 N. Brookland Road Genesee, PA 16923	0.044 acres 1/56 of 4.40 acres	0.0546%
(a.2) Henry W. Looney 322 24th Street W. Huntington, WV 25704	0.044 acres 1/56 of 4.40 acres	0.0546%
(a.3) Loretta Trittippoe 9 High Street Brookeville, MD 20833	0.044 acres 1/56 of 4.40 acres	0.0546%
(a.4) Bobby Gene Looney Address Unknown	0.044 acres 1/56 of 4.40 acres	0.0546%
(a.5) Beulah Fawn Holifield 17813 Howe Drive Olney, MD 20832	0.044 acres 1/56 of 4.40 acres	0.0546%

**Exhibit E**  
**Unit W-5**  
**Docket #VGOB 07-0417-1911**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
(a.6) Evelyn Carol James 183 Quarry Road Sparta, MO 65753	0.044 acres 1/56 of 4.40 acres	0.0546%
(a.7) Larry Looney P.O. Box 142 Glen Haven, CO 80532-0142	0.044 acres 1/56 of 4.40 acres	0.0546%
(b) Rosa Jane Looney Owens Heirs, Devisees, Successors or Assigns		
(b.1) Hays Owens <i>Address Unknown</i>	0.102 acres 1/24 of 4.40 acres	0.1273%
(b.2) Holly Owens <i>Address Unknown</i>	0.102 acres 1/24 of 4.40 acres	0.1273%
(b.3) Claude Owens Heirs, Devisees, Successors or Assigns <i>Heirs / Addresses Unknown</i>	0.102 acres 1/24 of 4.40 acres	0.1273%
(c) Heda (Hettie) Looney Maynard Heirs, Devisees, Successors or Assigns		
(c.1) Charles Ronnie Maynard P.O. Box 57 Raccoon, KY 41557	0.038 acres 1/64 of 4.40 acres	0.0477%
(c.2) Nancy Jane Smith PO Box 72 Raccoon, KY 41557	0.038 acres 1/64 of 4.40 acres	0.0477%
(c.3) Ida Gaye Smith 192 Fifty-Eight Branch Raccoon, KY 41557	0.038 acres 1/64 of 4.40 acres	0.0477%
(c.4) Clara Hope Meade 1424 Layman View Way New Market, TN 37820	0.038 acres 1/64 of 4.40 acres	0.0477%
(c.5) Billy Maynard 10963 Beaver Pike Road Jackson, OH 45640	0.038 acres 1/64 of 4.40 acres	0.0477%
(c.6) Marion Maynard P.O. Box 267 Lewisburg, OH 45338	0.038 acres 1/64 of 4.40 acres	0.0477%
(c.7) Geraldine Maynard Collins P.O. Box 155 New Madison, OH 45346	0.038 acres 1/64 of 4.40 acres	0.0477%
(c.8) Henry Jefferson Todge Maynard Heirs, Devisees, Successors or Assigns		
(c.8.1) Diana Thacker 130 Angela Street Pikeville, KY 41501	0.013 acres 1/192 of 4.40 acres	0.0159%

**Exhibit E**  
**Unit W-5**  
**Docket #VGOB 07-0417-1911**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
(c.8.2) Douglas Maynard 5638 Zebulon Highway Pikeville, KY 41501	0.013 acres 1/192 of 4.40 acres	0.0159%
(c.8.3) John P. Maynard Heirs, Devisees, Successors or Assigns		
(c.8.3.1) Karen Maynard, widow 6828 Zebulon Highway Pikeville, KY 41501	0.006 acres 1/384 of 4.40 acres	0.0080%
(c.8.3.2) Jill Maynard <i>Address Unknown</i>	0.006 acres 1/384 of 4.40 acres	0.0080%
(d) Victoria Looney Hagy Heirs, Devisees, Successors or Assigns		
(d.1) Henry W. Hagy Heirs, Devisees, Successors or Assigns		
(d.1.1) Beverly Hagy P.O. Box 369 Linden, MI 48451	0.044 acres 1/56 of 4.40 acres	0.0546%
(d.2) William R. Hagy 20963 Chatham Court Abingdon, VA 24210-1682	0.044 acres 1/56 of 4.40 acres	0.0546%
(d.3) Dennis Hagy 36 Buck Oak Lane White Haven, PA 18661	0.044 acres 1/56 of 4.40 acres	0.0546%
(d.4) Frank Hagy 118 Max Lane Galax, VA 24333	0.044 acres 1/56 of 4.40 acres	0.0546%
(d.5) Joyce A. Morris Box 464 Loyall, KY 40854	0.044 acres 1/56 of 4.40 acres	0.0546%
(d.6) Betty Hagy Alcartan 6431 Hill Creek Drive San Antonio, TX 78256	0.044 acres 1/56 of 4.40 acres	0.0546%
(d.7) Della Church Heirs, Devisees, Successors or Assigns		
(d.7.1) Deborah Ashby <i>Address Unknown</i>	0.007 acres 1/336 of 4.40 acres	0.0091%
(d.7.2) Dorothy F. Church <i>Address Unknown</i>	0.007 acres 1/336 of 4.40 acres	0.0091%
(d.7.3) Donald J. Church <i>Address Unknown</i>	0.007 acres 1/336 of 4.40 acres	0.0091%
(d.7.4) Vickie Guffey 2289 Preston Mill Road Huddleston, VA 24104	0.007 acres 1/336 of 4.40 acres	0.0091%

**Exhibit E**  
**Unit W-5**  
**Docket #VGOB 07-0417-1911**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
(d.7.5) Danny R. Church 1396 Laymantown Road Troutville, VA 24175	0.007 acres 1/336 of 4.40 acres	0.0091%
(d.7.6) Martha G. Keen P.O. Box 592 Keen Mountain, VA 24624	0.007 acres 1/336 of 4.40 acres	0.0091%
(e) Robert Joseph Looney Heirs, Devisees, Successors or Assigns <i>(previously J.R. Looney)</i>		
(e.1) Monnie Wilson 1904 Ireland Drive Leander, TX 78641-2836	0.061 acres 1/40 of 4.40 acres	0.0764%
(e.2) Rachel Sweeten P.O. Box 508 Raven, VA 24639-0508	0.061 acres 1/40 of 4.40 acres	0.0764%
(e.3) Ollie Fay Looney Aldhizen Heirs, Devisees, Successors or Assigns		
(e.3.1) Karla Lankins 9899 SW 170 Street Miami, FL 33157-4332	0.061 acres 1/40 of 4.40 acres	0.0764%
(e.4) Luther Theodore Looney Heirs, Devisees, Successors or Assigns		
(e.4.1) Michael Joseph Looney 18701 Roxbury Road Hagenstown, MD 21746	0.031 acres 1/80 of 4.40 acres	0.0382%
(e.4.2) David Scott Looney 817 Taff Street Sidney, OH 45365-2543	0.031 acres 1/80 of 4.40 acres	0.0382%
(e.5) Bradley Miles Looney Heirs, Devisees, Successors or Assigns		
(e.5.1) Ruth Looney 417 Reedy Fork Road Greenville, SC 29605-6219	0.061 acres 1/40 of 4.40 acres	0.0764%
(f) Ida Looney Scott Heirs, Devisees, Successors or Assigns		
(f.1) Juanita Scott Thompson 1209 Burning Fork Road Pikeville, KY 41501	0.306 acres 1/8 of 4.40 acres	0.3819%
(g) Sarah Amanda Looney Owens Heirs, Devisees, Successors or Assigns		
(g.1) Geneva Owens Kersey 1002 Kersey Road Green Cove Springs, FL 32043	0.034 acres 1/72 of 4.40 acres	0.0424%

**Exhibit E**  
**Unit W-5**  
**Docket #VGOB 07-0417-1911**  
**List of Conflicting Owners/Claimants that require escrow**

	Acres in Unit	Percent of Unit
(g.2) Maxie Fuller Heirs, Devisees, Successors or Assigns		
(g.2.1) Allison Fuller 195 Reaves Avenue Interlachen, FL 32148	0.017 acres 1/144 of 4.40 acres	0.0212%
(g.2.2) Stacy Fuller 212 Holly Lane Palatka, FL 32177	0.017 acres 1/144 of 4.40 acres	0.0212%
(g.3) Wedith Shammami 4546 Fairway Ridge West Bloomfield, MI 48323	0.034 acres 1/72 of 4.40 acres	0.0424%
(g.4) Clarence Owens Heirs, Devisees, Successors or Assigns		
(g.4.1) Barbara A. Spencer 1285-B Lovett Road Orange Park, FL 32065	0.011 acres 1/216 of 4.40 acres	0.0141%
(g.4.2) Johnny Owens 13427 Beall Avenue Jacksonville, FL 32218	0.011 acres 1/216 of 4.40 acres	0.0141%
(g.4.3) Harold B. Owens 4946 Highway 17 South Green Cove Springs, FL 32043	0.011 acres 1/216 of 4.40 acres	0.0141%
(g.5) Billy Owens Rt.1 Box 72 Vansant, VA 24656	0.034 acres 1/72 of 4.40 acres	0.0424%
(g.6) James Eurcele Owens Heirs, Devisees, Successors or Assigns		
(g.6.1) Edith Owens Rt.1 Box 70 Vansant, VA 24656	0.034 acres 1/72 of 4.40 acres	0.0424%
(g.7) Mary Fuller Rt.2 Box 287C Grundy, VA 24614	0.034 acres 1/72 of 4.40 acres	0.0424%
(g.8) Dolly Owens Box 45 Oakwood, VA 24631	0.034 acres 1/72 of 4.40 acres	0.0424%
(g.9) Virgil Owens Heirs, Devisees, Successors or Assigns		
(g.9.1) Lucinda Owens Heirs, Devisees, Successors or Assigns		
(g.9.1.1) Wesley & Shirley Owens P.O. Box 684 Oakwood, VA 24631	0.034 acres 1/72 of 4.40 acres	0.0424%

**Exhibit EE**  
**Unit W-5**  
**Docket #VGOB 07-0417-1911**  
**List of Conflicting Owners/Claimants with Royalty Split Agreements**

	Acres in Unit	Percent of Unit
<b><u>Tract #1B - 8.16 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Harrison-Wyatt, LLC Big Axe Tr. 24 (336 Acre Tract) P.O. Box 11000 Danville, VA 24543	8.16 acres	10.2000%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) CNX Gas Company LLC 2481 John Nash Blvd. Bluefield, WV 24701	8.16 acres	10.2000%
<b><u>Tract #1E - 4.93 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Harrison-Wyatt, LLC Big Axe Tr. 24 (336 Acre Tract) P.O. Box 11000 Danville, VA 24543	4.93 acres	6.1625%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
Hassell B. Shortridge, et al.	4.93 acres	6.1625%
(5) Viola Anderson Rt.2 Box 662 Vansant, VA 24656	0.55 acres 1/9 of 4.93 acres	0.6847%
<b><u>Tract #4 - 4.40 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Levisa Coal Company, et al., Tr.36 (51 Acre outsale of the 75.75 Acre Tract) c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77469	4.40 acres	5.5000%
<b><u>Note:</u></b> (Levisa has a Royalty Division Order with the John Pobst, et al. Group, Owners a thru h.)		
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
John W. Pobst, Jr., et al. (51 Acre outsale of the 75.75 Acre Tract)	4.40 acres	5.5000%
(1) John W. Pobst, Jr., et al.	1.96 acres 4/9 of 4.40 acres	2.4444%
(a) Fairview Limited Partnership c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77469	0.49 acres 1/9 of 4.40 acres	0.6111%

**Exhibit EE**  
**Unit W-5**  
**Docket #VGOB 07-0417-1911**  
**List of Conflicting Owners/Claimants with Royalty Split Agreements**

	Acres in Unit	Percent of Unit
(b) Carol C. Irvin 4710 Hunterwood Circle Richmond, TX 77469	0.16 acres 1/27 of 4.40 acres	0.2037%
(c) F.H. Combs Testamentary Trust c/o Kelly Combs Necessary, Trustee P.O. Box 841 Tazewell, VA 24651	0.16 acres 1/27 of 4.40 acres	0.2037%
(d) Martha E. Combs P.O. Box 1404 Abingdon, VA 24210	0.16 acres 1/27 of 4.40 acres	0.2037%
(e) John W. Pobst, Jr. Box 86 Revere, PA 18953	0.16 acres 1/27 of 4.40 acres	0.2037%
(f) Virginia Lee & Phillip Linwick 4324 South Bell Drive Veradale, WA 99037	0.16 acres 1/27 of 4.40 acres	0.2037%
(g) W. Kent Pobst Trust 3760 Lindell Road		
(g.1) Richard K. Pobst 1024 Oxford Dr. St. Augustine, FL 32084-1821	0.16 acres 1/27 of 4.40 acres	0.2037%
(g.2) Catherine Pobst c/o Lynn R. Quick 111 Postelle Street Cartersville, GA 30120	0.16 acres 1/27 of 4.40 acres	0.2037%
(h) Meredith E. Jennings 542 Butler Mill Rd. Maryville, TN 37803	0.33 acres 2/27 of 4.40 acres	0.4074%

INSTRUMENT #090003951  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY ON  
DECEMBER 30, 2009 AT 02:04PM

BEVERLY S. TILLER, CLERK  
RECORDED BY: AKT

INSTRUMENT #090003951  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY ON  
DECEMBER 30, 2009 AT 02:04PM

BEVERLY S. TILLER, CLERK  
RECORDED BY: AKT